IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1818 OF 2007

Shri Nathaji Raosaheb Hubal ...Petitioner
V/s.
Krishna Sahakari Sakhar Karkhana ...Respondent

Mr.Dilip Bodake for the Petitoner.
None for the Respondent.

CORAM : V.M. KANADE, J.

DATED : JULY 4, 2007

P.C. :-

1. Heard the learned Counsel for the petitioner.

2. The petitioner is challenging the order passed by the Co-operative Appellate Court in Revision Application No.27/2004 whereby the Misc.Application filed by the petitioner for his restoration of the application has been rejected. The petitioner had filed a Money Suit in the year 1985 which was dismissed on 29.10.99. Thereafter, he filed an application for restoration on 26.11.99. This was also dismissed. Thereafter, Misc. Application bearing No.34/2002 was filed for restoration of the Misc.Application No.17/99. This application was also dismissed on 26.8.2003. It is alleged that on that day, the petitioner had met with an

accident and therefore, he could not remain present in court and his Advocate’s son and father also died on the same day, therefore, he also could not remain present on that day. The co-operative Court has observed that the petitioner was negligent in pursuing this dispute. I do not see any reason for interfering with the order while exercising jurisdiction under Article 226 of the Constitution of India.

. Writ petition is dismissed.

(V.M. KANADE, J.)